

Regular Meeting Gravette City Council

December 17, 2010

7:00 pm

401 Charlotte Street SE

The meeting was called to order by Mayor Howard 7:00 p.m. In attendance were council members Byron Warren, Brent Cannon, Terry King and Forrest White. Tina Crose and Chris Beller were absent. City Attorney Tom Smith and City Recorder/Treasurer Mike von Ree were also present. Mayor Howard led those present in the Pledge of Allegiance.

Minutes of the Regular City Council Meeting 10/28/2010

Minutes of the November 18, 2010 council meeting were reviewed. King made a motion to approve the minutes as presented. White seconded the motion. A vote was taken, all ayes, motion passed.

Minutes of the Committee of the Whole Meeting 12/9/10

Minutes of the November 9, 2010 Committee of the Whole Meeting were reviewed. Mayor Howard asked why the details of the proposed raises were not in the minutes. Von Ree told the mayor that the minutes reflected that an ordinance for the changes in pay would be on the agenda for the December 17, 2010 city council meeting agenda. Mayor Howard wanted the details in the committee minutes. Von Ree agreed to amend the minutes to reflect the details of the proposed changes. Warren made a motion to approve the minutes as amended. King seconded the motion, a vote was taken, all ayes, motion passed.

Minutes of Working Session on 12-7- 2010

Minutes of the December 7, 2010 working session were reviewed. King made a motion to approve the minutes as presented. Warren seconded the motion. A vote was taken, all ayes.

Unfinished Business:

Police Department HVAC & Attic Access

The contract was awarded to H & K HVAC by Mayor Howard under his authority to spend up to \$10,000.00 without council approval.

Personnel Handbook

The issue was tabled so that all department heads and newly elected council members could have time to review the handbook and submit feedback

New Business

Cox Communications Bid for New Telephone System

Warren made a motion to accept the bid from Cox Communications to upgrade telephone systems for the city. King seconded the motion. A roll call vote was taken, White nay, Cannon aye, King aye, Warren aye, Howard aye, four ayes, one nay, motion passed.

Move January Committee of the Whole meeting to January 6, 2010

King made a motion to move the January committee of the whole meeting to January 6, 2011, 5:30 pm, at city hall. Warren seconded the motion. A vote was taken, all ayes, motion passed.

Close 2009 Budget

King made a motion to close out the 2009 City Budget. Cannon seconded the motion. A roll call vote was taken, White aye, Cannon aye, King aye, Warren aye, all ayes, motion passed.

Year End Bonuses

The council proposed that full-time employees receive a \$200.00 bonus and part-time employees receive a \$50.00. The employees will receive the full amount. The city will add enough to cover required deductions. Warren made a motion to approve the bonuses. Cannon seconded the motion. A roll call vote was taken, White aye, Cannon aye, King aye, Warren aye, all ayes, motion passed.

Library Commission Account

Mayor Howard told the council that the library commission account number 1141775 will be removed from the city accounts and returned to the commission. Signatories Mike von Ree, Bill Howard, Tracy Sewell and Terry King will be removed and library commission members Bill Reynolds, Elaine Brandli and Jenni Bohannon will be added.

Terry King will be removed from all city account signature cards and Byron Warren will be added to those accounts.

Ordinance to Change Salaries for Elected and Appointed Officials

Mayor Howard asked that the hourly rate for the city attorney be changed from \$75.00 per hour to \$85.00 per hour and that the hourly rate for the prosecuting attorney be changed from \$75.00 per hour to \$85.00 per hour. Mayor Howard also said that

ordinance 01-03 wasn't the latest ordinance but that ordinance 07-05 was the latest ordinance. Attorney Smith read the amended ordinance. King made a motion to repeal ordinances 01-13 and 07-05 and to change the hourly rates for the city attorney and prosecuting attorney from \$75.00 per hour to \$85.00 per hour for hours exceeding those proscribed for each position per month. King then moved that the council approve the ordinance as amended and place it on second and third readings by title only. Cannon seconded the motion. A roll call vote was taken, Cannon aye, White nay, King aye, Warren aye. Mayor Howard voted nay. By statute the mayor can only vote to pass, therefore, the vote was three ayes, one nay. The motion died for lack of a majority. Ordinances by statute can only pass with a majority of the whole number of council seats (four votes on a six member council).

Ordinance to Appoint City Attorney

Attorney Smith read an ordinance titled **"AN ORDINANCE TO APPOINT A CITY ATTORNEY FOR THE CITY OF GRAVETTE, ARKANSAS AND DECLARING AN EMERGENCY."** Warren made a motion to approve the first reading and place the ordinance on second and third readings by title only. King seconded the motion. A roll call vote was taken, Cannon aye, White aye, King aye, Warren aye, all ayes motion passed. Attorney Smith read the ordinance by title only. Warren made a motion to "Do Pass". King seconded the motion. A roll call vote was taken, Cannon aye, White aye, King aye, Warren aye, all ayes motion passed. Mayor Howard protested the use of an emergency clause. He felt that no emergency existed. The emergency clause was stricken from the ordinance. Ordinance number 10-09 was assigned to this ordinance.

Ordinance to Rezone Property Owned by Kim and Marylea Hendren

Attorney Smith read an ordinance titled **"AN ORDINANCE REZONING CERTAIN PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAVETTE, ARKANSAS FROM ITS PRESENT CLASSIFICATION TO C-2 HIGHWAY COMMERCIAL"**. Mayor Howard pointed out two minor errors. They were corrected. Warren made a motion to approve the ordinance and place on second and third readings by title only. King seconded the motion. A roll call vote was taken, Cannon, aye, White aye, King aye, Warren aye, all ayes, motion passed. Attorney Smith read the ordinance by title only. King made a motion to "Do Pass". A roll call vote was taken, Cannon aye, White aye, King aye, Warren aye, all ayes, motion passed. Ordinance number 10-10 was assigned to the ordinance.

Comments from Council Members:

Warren commented that he had enjoyed his eleven years on the city council.

King commented that he enjoyed working with the Mayor and City Council for his four year term on the council.